

**Exhibit A to Joint Claim Construction Statement****I. Proposed Construction**

<b>Claims</b>	<b>Term/Phrase</b>	<b>PPC</b>	<b>Corning</b>
27, 36, 50, 59	“first nut-to-post position” and “second nut-to-post position”	<p>These terms are not indefinite:</p> <p>“a first nut-to-post position is any position of the nut in which the forward facing surface of the nut contacts the rearward facing surface/portion of the post”</p> <p>“a second nut-to-post position is any position of the nut in which the forward facing surface of the nut is spaced away from the rearward facing surface/portion of the post”</p> <p>With respect to second nut-to-post position, the claims are describing a condition of intermittency or discontinuity of grounding within the connector that could exist were there no continuity member.</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 36, 50, 59; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 21, 29, 30, 31, 32, 37, 38, 41, 48, 49, 50, 53, and accompanying text in the specification; Background of Invention; Col. 1, lines 64-67, Col. 2, lines 1-23; Col. 2, lines 27-45; Col. 7, line 67, Col. 8, lines 1-15; Col. 11, lines 65-67, Col. 12, line 1; Col. 13, lines 39-46; Col. 15, lines 6-15, lines 40-45, 61-62; Col. 16, lines 45-58, 61-66; Col. 17, lines 12-16; Col. 17, line 67, Col. 18, lines 1-3; Col. 18, lines 54-64.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The “first nut-to-post position” is defined in the claims. For example, claims 27, 36, 50 define this term as: Where the forward facing nut surface of the nut contacts the rearward facing surface of the post.</p> <p>*Lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 36, 50, 59. See also Col. 14, ll. 18-35; col. 16, ll. 10-22; col. 20, ll. 35-45.</p> <p>The “second nut-to-post position” is defined in the claims. For example, claims 27 and 50 define this term as: Where the forward facing nut surface of the nut is spaced away from the rearward facing surface of the post.</p> <p>As another example, claims 36 and 59 define this term as: Where the forward facing nut surface of the nut is spaced away from and does not contact the rearward facing surface of the post.</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 36, 50, 59. See also Col. 14, ll. 18-35; col. 16, ll. 10-22; col. 20, ll. 35-45</p>

Claims	Term/Phrase	PPC	Corning
27, 36, 50, 59	“a nut configured to move between a first position and a second position”	<p>These terms are not indefinite:</p> <p>“the nut is configured to move (whether axially, rotationally or otherwise) into at least two different positions relative to the other components of the connector and/or the interface port”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 36, 50, 59; Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 23, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 41, 48, 49, 50, 53, and accompanying text in the specification; Background of the Invention; Col. 1, lines 64-67; Col. 2, lines 14-15, 27-28, 35-36, 43-45; Col. 7, lines 17-24, 67; Col. 8, lines 1-4, lines 10-15; Col. 10, lines 63-64; Col. 11, lines 65-67, Col. 12, line 1; Col. 13, lines 39-46; Col. 14, lines 18-35, Col. 15, lines 6-15, lines 40-45, 61-62; Col. 16, lines 45-58, 61-66; Col. 17, lines 12-16; Col. 17, line 67, Col. 18, lines 1-3; Col. 18, lines 54-64; Col. 20, lines 38-45.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>“first position” of the nut</p> <p>First nut-to-post position relative to the post.</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 50.</p> <p>“second position” of the nut</p> <p>Second nut-to-post position relative to the post.</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 50.</p>

Claims	Term/Phrase	PPC	Corning
27, 50	“spaced away from the rearward facing surface/portion of the post”	These terms are not indefinite:  “a distance of space separates at least some portion of the rearward facing surface/portion of the post and the forward facing surface/portion of the nut”	“Not touching the rearward facing surface of the flange of the post but the nut is still fastened to the interface port by at least a few threads.”  *Indefinite and lacks written description support
36, 59	“spaced away from and does not contact the rearward facing surface/portion of the post”	<p>“a distance or space separates the rearward facing surface/portion of the post and the forward facing surface/portion of the nut such that the two surfaces/portions do not contact one another”</p> <p>Both claim limitations are describing various conditions of intermittency or discontinuity of grounding within the connector that could exist were there no continuity member.</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 36, 50, 59; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 21, 29, 30, 31, 32, 37, 38, 41, 48, 49, 50, 53, and accompanying text in the specification; Background of Invention; Col. 1, lines 64-67, Col. 2, lines 1-23; Col. 2, lines 27-45; Col. 7, line 67, Col. 8, lines 1-15; Col. 11, lines 65-67, Col. 12, line 1; Col. 13, lines 39-46; Col. 15, lines 6-15, lines 40-45, 61-62; Col. 16, lines 45-58, 61-66; Col. 17, lines 12-16; Col. 17, line 67, Col. 18, lines 1-3; Col. 18, lines 54-64.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>“Not touching the rearward facing surface of the flange of the post but the nut is still fastened to the interface port by at least a few threads.”</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 50; Col. 14, ll. 18-35; col. 16, ll. 10-32; col. 20, ll. 35-45.</p> <p>“Not touching the rearward facing surface of the flange of the post but the nut is still fastened to the interface port by at least a few threads.”</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 36, 59; Col. 14, ll. 18-35; col. 16, ll. 10-22; col. 20, ll. 35-45</p>

Claims	Term/Phrase	PPC	Corning
27, 30, 36, 50, 53, 59	“continuous metallic electrical ground path”	<p>This term is not indefinite:</p> <p>“a constant non-intermittent electrical ground path between metallic components”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 30, 36, 50, 53, 59, Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 29, 30, 31, 32, 37, 38, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 7, lines 1-9, lines 50-67; Col. 8, lines 55-65; Col. 11, lines 3-67; Col. 12, lines 1-12; Col. 14, lines 18-35; Col. 15, lines 2-15; Col. 16, lines 10-32; Col. 17, lines 29-54; Col. 18, lines 42-67; Col. 19, lines 1-26; Col. 20, lines 28-45.</p> <p><b><u>Extrinsic Evidence:</u></b> NFPA 70: National Electrical Code, 2008 Edition (copyrighted document - available for inspection upon request); dictionary definitions of “continuity” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuity">http://www.merriam-webster.com/dictionary/continuity</a> and <a href="http://dictionary.reference.com/browse/continuity">http://dictionary.reference.com/browse/continuity</a>; dictionary definitions of “continuous” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuous">http://www.merriam-webster.com/dictionary/continuous</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>An unbroken electrical ground path having metallic components.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 14, ll. 25-35; col. 16, ll. 10-22; col. 17, ll. 55-59; col. 18, ll. 45-65; col. 20, ll. 8-45; Figs. 20, 29-32</p> <p><b><u>Extrinsic Evidence:</u></b> Final Decisions in IPR2013-00340, IPR2013-00353, IPR2013-00342, IPR2013-00346, and IPR2013-00347;</p> <p>Dictionary definitions for “continuous.” <i>E.g.</i>, <a href="http://www.merriamwebster.com/dictionary/continuous">http://www.merriamwebster.com/dictionary/continuous</a>; <a href="http://www.oxforddictionaries.com/us/definition/american_english/continuous">http://www.oxforddictionaries.com/us/definition/american_english/continuous</a>.</p>

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36	“continuous electrical contact pathway”	<p>This term is not indefinite:</p> <p>“a constant electrical ground pathway maintained by uninterrupted contact between the continuity member and the post”</p> <p><b><u>Intrinsic Evidence:</u></b> Claim 36; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 29, 30, 31, 32, 37, 38, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 7, lines 1-9, lines 50-67; Col. 8, lines 55-65; Col. 11, lines 3-67, Col. 12, lines 1-12; Col. 14, lines 18-35; Col. 15, lines 2-15; Col. 16, lines 10-32; Col. 17, lines 29-54; Col. 18, lines 42-67; Col. 19, lines 1-26; Col. 20, lines 28-45.</p> <p><b><u>Extrinsic Evidence:</u></b> NFPA 70: National Electrical Code, 2008 Edition (copyrighted document - available for inspection upon request); dictionary definitions of “continuity” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuity">http://www.merriam-webster.com/dictionary/continuity</a> and <a href="http://dictionary.reference.com/browse/continuity">http://dictionary.reference.com/browse/continuity</a>; dictionary definitions of “continuous” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuous">http://www.merriam-webster.com/dictionary/continuous</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>An unbroken electrical ground path.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 14, ll. 25-35; col. 16, ll. 10-22; col. 17, ll. 55-59; col. 18, ll. 45-65; col. 20, ll. 8-45; Figs. 20, 29-32</p> <p><b><u>Extrinsic Evidence:</u></b> Final Decisions in IPR2013-00340, IPR2013-00353, IPR2013-00342, IPR2013-00346, and IPR2013-00347;</p> <p>Dictionary definitions for “continuous.” E.g., <a href="http://www.merriamwebster.com/dictionary/">http://www.merriamwebster.com/dictionary/</a> continuous; <a href="http://www.oxforddictionaries.com/us/definition/american_english/continuous">http://www.oxforddictionaries.com/us/definition/american_english/continuous</a>.</p>

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35, 58	“integrally conductive”	<p>This term is not indefinite:</p> <p>“the entire continuity member is made of material that is conductive”</p> <p>As opposed to, for example, a conductive o-ring that, because it is made primarily out of rubber, is, at best, made of only partially conductive material.</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 5, lines 65-67; Col. 6, lines 1-67; Col. 7, lines 1-16, 50-62; Col. 8, lines 50-65; Col. 9, lines 44-49; Col. 11, lines 3-42; Col. 13, lines 52-67; Col. 14, lines 1-17; Col. 17, lines 29-54;</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 8,071,174 (and family members); U.S. Published Patent Application Nos. 2006/0110977; dictionary definitions of “integral” – <i>e.g.</i>, <a href="http://dictionary.reference.com/browse/integral?s=t">http://dictionary.reference.com/browse/integral?s=t</a>, <a href="http://www.thefreedictionary.com/integral">http://www.thefreedictionary.com/integral</a>; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim term is not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The continuity member is formed of a single, unitary material that is capable of conducting electricity.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 11, ll. 37-42, 48-52; col. 17, ll. 32-41</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions for “integral.” <i>E.g.</i>, <a href="http://www.oxforddictionaries.com/us/definition/american_english/integral">http://www.oxforddictionaries.com/us/definition/american_english/integral</a>; <a href="http://www.merriamwebster.com/dictionary/integral">http://www.merriamwebster.com/dictionary/integral</a>.</p> <p><i>PerfectVision Mfg., Inc. v. PPC Broadband, Inc.</i>, No. 4:12CV00623 JLH, 2014 WL 4285786 (Aug. 29, 2014) and underlying claim constructions briefs.</p>
35, 36, 58, 59	“electrical grounding continuity member”	<p>These terms are not indefinite:</p> <p>“a conductive component that provides continuity of grounding”</p>	<p>A device disposed within the second end portion of the nut and contacting the post and the nut, such that it extends electrical grounding continuity through the post and the nut.</p>
30, 53	“electrical grounding device”	<p>“a component or device that provides for a constant non-intermittent ground path from the post to nut”</p> <p>Report and Recommendation, <i>PPC v. Corning</i>, Case No. 5:12-cv-00911-GS-DEP [Docket No. 64] and Memorandum-Decision and Order by Chief Judge Sharpe [Docket No. 103]</p>	<p><b><u>Intrinsic Evidence:</u></b> Col. 1, ll. 7-10, 19-23, 28-30, 37-42; col. 11, ll. 4-11, 22-28; col. 12, ll. 34-64; col. 13, ll. 46-51, 56-62; col. 14, ll. 40-47; col. 16, ll.35-45; col. 19, ll. 27-33</p>

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		<p><b><u>Intrinsic Evidence:</u></b> Claims 30, 35, 36, 53, 58, 59; Figs. 1-53 and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention.</p> <p><b><u>Extrinsic Evidence:</u></b> NFPA 70: National Electrical Code, 2008 Edition (copyrighted document - available for inspection upon request); dictionary definitions of “continuity” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuity">http://www.merriam-webster.com/dictionary/continuity</a> and <a href="http://dictionary.reference.com/browse/continuity">http://dictionary.reference.com/browse/continuity</a>; ); dictionary definitions of “device” – <i>e.g.</i>, <a href="http://dictionary.reference.com/browse/device?s=t">http://dictionary.reference.com/browse/device?s=t</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim terms are not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>Something that facilitates electrical grounding.</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 30, 50, 53</p>

Claims	Term/Phrase	PPC	Corning
27, 50	“configured to be maintained”	<p>This term is not indefinite:</p> <p>“the continuous metallic electrical ground pathway is configured or designed to be maintained regardless of the position of the nut”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 50; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 29, 30, 31, 32, 37, 38, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 7, lines 1-9, lines 50-67; Col. 8, lines 55-65; Col. 11, lines 3-67, Col. 12, lines 1-12; Col. 14, lines 18-35; Col. 15, lines 2-15; Col. 16, lines 10-32; Col. 17, lines 29-54; Col. 18, lines 42-67; Col. 19, lines 1-26; Col. 20, lines 28-45.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; dictionary definitions of “configured” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/configured">http://www.merriam-webster.com/dictionary/configured</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the term should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>“Arranged in a particular order or relationship so as to cause or enable the pathway to exist at a given point in time.”</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 14, ll. 25-35; col. 16, ll. 10-22</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions for “maintain.” <i>E.g.</i>, <a href="http://www.merriamwebster.com/dictionary/maintain">http://www.merriamwebster.com/dictionary/maintain</a>; <a href="http://www.oxforddictionaries.com/us/definition/american_english/Maintain">http://www.oxforddictionaries.com/us/definition/american_english/Maintain</a>.</p> <p>Dictionary definitions for “configure.” <i>E.g.</i>, <a href="http://www.oxforddictionaries.com/definition/english/configure?q=configure">http://www.oxforddictionaries.com/definition/english/configure?q=configure</a>; <a href="http://www.merriamwebster.com/dictionary/configure">http://www.merriamwebster.com/dictionary/configure</a>.</p>



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36, 59	“configured to maintain contact with . . . , and maintain the continuous metallic electrical ground pathway”	<p>This term is not indefinite:</p> <p>“the nut contact portion is configured or designed to keep the continuity member in contact with the rearward facing surface of the inward protrusion of the nut and ensure that there is a constant non-intermittent ground path between the continuity member and the rearward facing surface of the inward protrusion of the nut”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 36-59; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 29, 30, 31, 32, 37, 38, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 7, lines 1-9, lines 50-67; Col. 8, lines 55-65; Col. 11, lines 3-67, Col. 12, lines 1-12; Col. 14, lines 18-35; Col. 15, lines 2-15; Col. 16, lines 10-32; Col. 17, lines 29-54; Col. 18, lines 42-67; Col. 19, lines 1-26; Col. 20, lines 28-45.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; dictionary definitions of “configured” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/configured">http://www.merriam-webster.com/dictionary/configured</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the term should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The nut contact portion of the continuity member is arranged so that it enables or causes the pathway to exist at a given point in time.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 14, ll. 25-35; col. 16, ll. 10-22</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions for “maintain.” <i>E.g.</i>, <a href="http://www.merriamwebster.com/dictionary/maintain">http://www.merriamwebster.com/dictionary/maintain</a>; <a href="http://www.oxforddictionaries.com/us/definition/american_english/Maintain">http://www.oxforddictionaries.com/us/definition/american_english/Maintain</a>.</p> <p>Dictionary definitions for “configure.” <i>E.g.</i>, <a href="http://www.oxforddictionaries.com/definition/english/configure?q=configure">http://www.oxforddictionaries.com/definition/english/configure?q=configure</a>; <a href="http://www.merriamwebster.com/dictionary/configure">http://www.merriamwebster.com/dictionary/configure</a>.</p>

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36, 59	“so as to maintain”	<p>This term is not indefinite:</p> <p>“by biasing the nut contact portion of the continuity member against the nut, the biasing portion of the continuity member ensures that there is a constant non-intermittent ground path between the continuity member and the nut, which because of the constant non-intermittent contact between the post and the post contact portion of the continuity member, ensures that there is a constant non-intermittent ground path from the post to the nut”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 36, 59; Figs. 1, 5, 6, 7, 9, 11, 13, 17, 20, 29, 30, 31, 32, 37, 38, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; asserted claims; Col. 7, lines 1-9, 50-67; Col. 8, lines 55-65; Col. 11, lines 3-67; Col. 12, lines 1-12, 18-35; Col. 15, lines 2-15; Col. 16, lines 10-332; Col. 17, lines 29-54; Col. 18, lines 42-67; Col. 19, lines 1-26; Col. 20, lines 27-54.</p> <p><b><u>Extrinsic Evidence:</u></b> NFPA 70: National Electrical Code, 2008 Edition (copyrighted document - available for inspection upon request); U.S. Patent Nos. 5,975,951, 5,877,452, 5,466,173, 6,830,479, 6,783,394, U.S. Published Patent Application No. 2005/0048836; dictionary definitions of “continuity” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/continuity">http://www.merriam-webster.com/dictionary/continuity</a> and <a href="http://dictionary.reference.com/browse/continuity">http://dictionary.reference.com/browse/continuity</a>; dictionary definitions of “engage” – <i>e.g.</i>, <a href="http://www.merriam-webster.com/dictionary/engage">http://www.merriam-webster.com/dictionary/engage</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim term is not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The biasing portion of the continuity member causes or enables the pathway to exist at a given point in time.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 14, ll. 25-35; col. 16, ll. 10-22</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions for “maintain.” <i>E.g.</i>, <a href="http://www.merriamwebster.com/dictionary/maintain">http://www.merriamwebster.com/dictionary/maintain</a>; <a href="http://www.oxforddictionaries.com/us/definition/american_english/Maintain">http://www.oxforddictionaries.com/us/definition/american_english/Maintain</a>.</p>

Claims	Term/Phrase	PPC	Corning
36, 59	"biasing portion"	<p>This term is not indefinite:</p> <p>"a portion of the continuity member that biases or urges the nut contact portion of the continuity member against the nut"</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 36, 59; Figs. 1-9, 16-38, 43-53, and accompanying text in the specification; Col. 11, lines 22-28; Col. 14, lines 1-5; Col. 15, lines 7-15, 51-67; Col. 17, lines 6-16; Col. 18, lines 53-65.</p> <p><b><u>Extrinsic Evidence:</u></b> Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering's opinion that the claim term is not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The portion of the continuity member that urges or pushes the nut contact portion of the continuity member against a surface of the nut.</p> <p>*Indefinite and lacks written description support</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 15, ll. 51-67; col. 16, l. 45–col. 17, l. 16; col. 18, ll. 45-65; Figs. 27-38, 43-53</p> <p><b><u>Extrinsic Evidence:</u></b> <i>PerfectVision Mfg., Inc. v. PPC Broadband, Inc.</i>, No. 4:12CV00623 JLH, 2014 WL 4285786 (Aug. 29, 2014) and underlying claim constructions briefs.</p>
36, 59	"configured to bias"	<p>This term is not indefinite:</p> <p>"designed to bias or urge the nut contact portion of the continuity member against the nut"</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 36, 59; Figs. 1-9, 16-38, 43-53, and accompanying text in the specification; Col. 11, lines 22-28; Col. 14, lines 1-5; Col. 15, lines 7-15, 51-67; Col. 17, lines 6-16; Col. 18, lines 53-65.</p> <p><b><u>Extrinsic Evidence:</u></b> Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering's opinion that the claim term is not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>The biasing portion of the continuity member is arranged so that it urges or pushes the nut contact portion of the continuity member against a surface of the nut.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 15, ll. 51-67; col. 16, l. 45–col. 17, l. 16; col. 18, ll. 45-65; Figs. 27-38, 43-53</p> <p><b><u>Extrinsic Evidence:</u></b> <i>PerfectVision Mfg., Inc. v. PPC Broadband, Inc.</i>, No. 4:12CV00623 JLH, 2014 WL 4285786 (Aug. 29, 2014) and underlying claim constructions briefs.</p>

Claims	Term/Phrase	PPC	Corning
27, 50	“configured to engage”	<p>This term is not indefinite:</p> <p>“a post, which is a separate component from the body (<i>i.e.</i>, they are not a single integral component), is designed or configured to interlock with the body to prevent axial movement of one relative to the other”</p> <p>Report and Recommendation, <i>PPC v. Corning</i>, Case No. 5:12-cv-00911-GS-DEP [Docket No. 64] and Memorandum-Decision and Order by Chief Judge Sharpe [Docket No. 103]</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27, 50; Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Background of the Invention; Summary of the Invention.</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions of “engage” – e.g., <a href="http://www.merriamwebster.com/dictionary/engage">http://www.merriamwebster.com/dictionary/engage</a>; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the claim term is not indefinite and should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>No construction necessary. The term should be given its plain and ordinary meaning.</p> <p>*Indefinite</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 15, ll. 62-67</p>

Claims	Term/Phrase	PPC	Corning
27, 50	“a first end configured for coupling to the interface port”	<p>“the end of the nut that serves to or helps connect, join or fasten the nut to an interface port; the end may or may not have threads, and is not limited to the extreme tip of the end”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27-50, Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 7, lines 17-50; Col. 10, lines 63-64.</p> <p><b><u>Extrinsic Evidence:</u></b> U.S. Patent No. 6,877,102; 7,189,09; dictionary definitions of “couple” – e.g., <a href="http://dictionary.reference.com/browse/couple?s=t">http://dictionary.reference.com/browse/couple?s=t</a>, <a href="http://www.merriam-webster.com/dictionary/couple">http://www.merriam-webster.com/dictionary/couple</a>; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that Corning’s construction of this claim term is inconsistent with how a person of ordinary skill in the art would understand the term, and that the term should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>“a first end configured for coupling to the interface port”</p> <p>The nut has threads the extend from the first end of the nut into the inner diameter of the nut a distance sufficient to provide operably effective threaded contact with the external threads of a standard coaxial cable interface port.</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 1, ll. 39-42; col. 6, ll. 52-54, 58-63; col. 7, ll. 17-24</p>
			<p>“first end” of the nut</p> <p>The forward-facing end of the nut.</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 1, l. 64 – col. 2, l. 7; col. 12, ll. 49-56; col. 17, ll. 16-20, 60-63; col. 19, ll. 27-33, 41-49; Figs. 5, 38, 49, 50, 53</p>

Claims	Term/Phrase	PPC	Corning
27, 50	“an outward flange”	<p>“a rim, edge, rib, or collar, protruding from the post that can include one or more steps”</p> <p>Report and Recommendation, <i>PPC v. Corning</i>, Case No. 5:12-cv-00911-GS-DEP [Docket No. 64] and Memorandum-Decision and Order by Chief Judge Sharpe [Docket No. 103]</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27-50, Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 8, lines 7-17; Col. 12, lines 29-40.</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions of “flange” – e.g., <a href="http://www.merriam-webster.com/dictionary/flange">http://www.merriam-webster.com/dictionary/flange</a> and <a href="http://dictionary.reference.com/browse/flange">http://dictionary.reference.com/browse/flange</a>; Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that Corning’s construction of this claim term is inconsistent with how a person of ordinary skill in the art would understand the term, and that the term should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>An externally extending annular protrusion on the post that includes structure that coacts with the internal lip of the nut.</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 8, ll. 8-15; col. 12, ll. 59-64; col. 13, ll. 35-39; col. 17, ll. 20-28; col. 19, ll. 52-56; col. 20, ll. 8-28</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions for “flange.” E.g., <a href="http://www.oxforddictionaries.com/definition/english/flange">http://www.oxforddictionaries.com/definition/english/flange</a>; <a href="http://www.merriamwebster.com/dictionary/flange">http://www.merriamwebster.com/dictionary/flange</a>; <a href="http://www.thefreedictionary.com/flange">http://www.thefreedictionary.com/flange</a>; <a href="http://www.engnetglobal.com/tips/glossary.aspx?word=ANSI+FLANGE">http://www.engnetglobal.com/tips/glossary.aspx?word=ANSI+FLANGE</a>.</p>

Claims	Term/Phrase	PPC	Corning
27	“a rearward facing surface”	“a surface of the protrusion of the outward flange of the post that faces rearward ( <i>i.e.</i> , toward the end of the connector in which the cable is inserted)”	The surface of the flange that faces the forward facing surface of the nut.  <b><u>Intrinsic Evidence:</u></b> Col. 8, ll. 10-17
50	“a rearward facing portion”	<p>“the portion of the protrusion of the outward flange of the post that faces rearward (<i>i.e.</i>, toward the end of the connector in which the cable is inserted)”</p> <p>Report and Recommendation, <i>PPC v. Corning</i>, Case No. 5:12-cv-00911-GS-DEP [Docket No. 64] and Memorandum-Decision and Order by Chief Judge Sharpe [Docket No. 103]</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27-50, Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 8, lines 5-65; Col. 12, lines 29-40, and the ubiquitous portions of the specification that make clear that “rearward” refers to the end of the connector in which the cable is inserted.</p> <p><b><u>Extrinsic Evidence:</u></b> Testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the terms should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	

Claims	Term/Phrase	PPC	Corning
27, 50	“extending between”	<p>“the pathway extends between the rearward facing surface of the flange of the post and the contact portion of the body, but does not necessarily include or come in contact with both surfaces”</p> <p><b><u>Intrinsic Evidence:</u></b> Claims 27-50, Figs. 1, 5, 6, 7, 9, 11, 13, 15, 17, 19, 20, 21, 24, 25, 29, 30, 31, 32, 37, 38, 39, 40, 48, 49, 50, 53, and accompanying text in the specification; Abstract; Background of the Invention; Summary of the Invention; Col. 8, lines 5-10; Col. 12, lines 21-26, 56-59; Col. 13, lines 1-3, 45-51; Col. 14, lines 18-35, 52-56, 63-67; Col. 15, lines 7-15, 30-45; Col. 16, lines 10-28, 61-64; Col. 17, lines 20-28, 64-67; Col. 19, lines 45-62; Col. 20, lines 8-45.</p> <p><b><u>Extrinsic Evidence:</u></b> Dictionary definitions of “between” and “extend” – <i>e.g.</i>, <a href="http://dictionary.reference.com/browse/between?s=t">http://dictionary.reference.com/browse/between?s=t</a>, <a href="http://www.merriam-webster.com/dictionary/between">http://www.merriam-webster.com/dictionary/between</a> and <a href="http://dictionary.reference.com/browse/extend?s=t">http://dictionary.reference.com/browse/extend?s=t</a>; testimony of Dr. Charles A. Eldering, Ph.D., the substance of which includes a discussion of the level of ordinary skill in the art at the relevant time period, and Dr. Eldering’s opinion that the term should be construed in the manner proposed by PPC because that is how they would be understood by a person of ordinary skill in the art at the relevant time period.</p>	<p>At a given point in time, the pathway is unbroken between.</p> <p><b><u>Intrinsic Evidence:</u></b> Col. 15, ll. 38-45; col. 16, ll. 10-22; col. 20, ll. 31-35</p>



II. Asserted claims (disputed terms/phrases are in ***bold italics***):

**U.S. Patent No. 8,647,136**

**Claim 27.** A connector for coupling a coaxial cable to an interface port, the connector comprising:

a body having a forward end, an opposing rearward end configured to receive a portion of the coaxial cable, and a continuity member contact portion;

post ***configured to engage*** the body, the post including ***an outward flange*** including a protrusion having ***a rearward facing surface***;

***a nut configured to move between a first position and a second position***, the nut including: ***a first end configured for coupling to the interface port***; an opposing second end;

and an inward protrusion comprising: a forward facing nut surface; a rearward facing nut surface; and an innermost nut surface ***extending between*** the forward facing nut surface and the rearward facing nut surface;

wherein the nut is further configured to move between a ***first nut-to-post position*** relative to the post, where the forward facing nut surface of the nut contacts the rearward facing surface of the post,

and a ***second nut-to-post position*** relative to the post, where the forward facing nut surface of the nut is ***spaced away from the rearward facing surface of the post***;

***a continuous metallic electrical ground pathway*** located rearwardly from the rearward facing surface of the inward protrusion of the nut, and ***extending between*** the rearward facing surface of the protrusion of the outward flange of the post and the continuity member contact portion of the body; and

wherein the ***continuous metallic electrical ground pathway*** is ***configured to be maintained*** when the nut is in the first position, when the nut is in the second position, when the nut is in the ***first nut-to-post position*** relative to the post, where the forward facing nut surface of the nut contacts the rearward facing surface of the post, and when the nut is in the ***second nut-to-post position*** relative to the post, where the forward facing nut surface of the nut is spaced away from the rearward facing surface of the post, such that the ***continuous metallic electrical ground pathway*** is maintained between the post and the nut regardless of a location of the nut relative to the post.

**Claim 30.** The connector of claim 27, wherein the ***continuous metallic electrical ground pathway*** is formed by an ***electrical grounding device***.

**Claim 35.** The connector of claim 34, wherein the ***electrical grounding continuity member*** is made of an ***integrally conductive*** and non-elastomeric material.

**Claim 36.** The connector of claim 34, wherein the ***electrical grounding continuity member*** comprises:

conductive post contact portion configured to contact a portion of the protrusion of the outward flange of the post, and maintain a ***continuous electrical contact pathway*** with the post;

nut contact portion *configured to maintain contact with* the rearward facing surface of the inward protrusion of the nut, and *maintain the continuous metallic electrical ground pathway* between the *electrical grounding continuity member* and the rearward facing surface of the inward protrusion of the nut; and

a *biasing portion configured to bias* the nut contact portion against the rearward facing surface of the inward protrusion of the nut, allow the nut contact portion to move relative to the conductive post contact portion when the nut moves between the *first nut-to-post position*, where the forward facing nut surface of the nut contacts the rearward facing surface of the post, and the *second nut-to-post position*, where the forward facing nut surface of the nut is *spaced away from and does not contact the rearward facing surface of the post, so as to maintain the continuous metallic electrical ground pathway* between the conductive post contact portion and the nut contact portion.

**Claim 38.** The connector of claim 37, wherein the elastic sealing member is an O-ring.

**Claim 50.** A connector for coupling a coaxial cable to an interface port, the connector comprising:

a body having a continuity member contact portion;

a post *configured to engage* the body, the post including *an outward flange* including *a rearward facing portion*;

a nut configured to rotate relative to the post and body, and move between a first position and a second position, the nut including: *a first end configured for coupling to the interface port*;

and an inward protrusion having a forward facing nut portion, a rearward facing nut portion, and an innermost nut portion *extending between* the forward facing nut portion and the rearward facing nut portion;

wherein the nut is further configured to move between a *first nut-to-post position* relative to the post, where the forward facing nut portion of the nut contacts the rearward facing portion of the post, and a *second nut-to-post position* relative to the post, where the forward facing nut portion of the nut is *spaced away from the rearward facing portion of the post*;

a *continuous metallic electrical ground pathway* located rearwardly from the rearward facing portion of the inward protrusion of the nut, and configured to contact the rearward facing portion of the outward flange of the post while *extending between* the rearward facing portion of the outward flange of the post and the continuity member contact portion of the body when the connector is in an *assembled state*; and

wherein the *continuous metallic electrical ground pathway* is *configured to be maintained* when the nut is in the first position, when the nut is in the second position, when the nut is in the *first nut-to-post position* relative to the post, where the forward facing nut portion of the nut contacts the rearward facing portion of the post, and when the nut is in the *second nut-to-post position* relative to the post, where the forward facing nut portion of the nut is spaced away from the rearward facing portion of the post, such that the *continuous metallic electrical ground pathway* is maintained between the rearward facing portion of the outward flange of the post and the nut regardless of a location of the nut relative to the post.

**Claim 53.** The connector of claim 50, wherein the *continuous metallic electrical ground pathway* is formed by

an *electrical grounding device*.

**Claim 58.** The connector of claim 57, wherein the *electrical grounding continuity member* is made of an *integrally conductive* and non-elastomeric material.

**Claim 59.** The connector of claim 57, wherein the *electrical grounding continuity member* comprises:

a conductive post contact portion configured to contact the rearward facing portion of the outward flange of the post, and maintain a first continuous metallic electrical grounding path with the post;

nut contact portion *configured to maintain contact with* the rearward facing portion of the inward protrusion of the nut, *and maintain a second continuous metallic electrical grounding path* between the *electrical grounding continuity member* and the rearward facing portion of the inward protrusion of the nut; and

a *biasing portion configured to bias* the nut contact portion against the rearward facing portion of the inward protrusion of the nut, allow the nut contact portion to move relative to the conductive post contact portion when the nut moves between the *first nut-to-post position*, where the forward facing nut portion of the nut contacts the rearward facing portion of the post, and the *second nut-to-post position*, where the forward facing nut portion of the nut is *spaced away from and does not contact the rearward facing portion of the post, so as to maintain* a third continuous metallic electrical grounding path between the conductive post contact portion and the nut contact portion.

**Claim 61.** The connector of claim 60, wherein the sealing member is an O-ring.